

# Exhibit C

## Asher, Monica

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**From:** Asher, Monica  
**Sent:** Friday, November 26, 2021 10:49 AM  
**To:** Saenz, Andres; Levander, Samuel; Kratenstein, Andrew  
**Cc:** Rosenthal, Jeffrey A.; Vicens, Elizabeth (Lisa); Balter, Emily; Mgaloblishvili, Leila; Wright, Katerina  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

In response to your questions:

- You have noted that the total universe of hits on “high street” and “highstreet” is 114,262 plus families.
- What is the hit count once restricted to 2012 to 2015? **87,287**
- What is the hit count of the above search string as modified (no date restriction)? **61,071**
- What is the hit count of the above search string as modified, limited to 2012 to 2015? **31,699**

We will proceed with the modified term with the date restriction.

MONICA S. ASHER

Partner

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**Tel** +1 212 547 5706 **Email** MAsher@mwe.com

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** nsalzano@mwe.com

---

**From:** Saenz, Andres <asaenz@cgsh.com>  
**Sent:** Thursday, November 18, 2021 10:24 PM  
**To:** Asher, Monica <MAsher@mwe.com>; Levander, Samuel <slevander@cgsh.com>; Kratenstein, Andrew <AKratenstein@mwe.com>  
**Cc:** Rosenthal, Jeffrey A. <jrosenthal@cgsh.com>; Vicens, Elizabeth (Lisa) <evicens@cgsh.com>; Balter, Emily <ebalter@cgsh.com>; Mgaloblishvili, Leila <lmgaloblishvili@cgsh.com>; Wright, Katerina <kawright@cgsh.com>  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

### [ External Email ]

Monica,

Thank you for your email.

With regard to your proposal for the terms “High Street” and “Highstreet”, we suggest the following temporary solution to perhaps address the issue in stages, meaning that we would agree to your search term string (with modifications, as below) but as a means to prioritize the production and review of that string rather than as an absolute restriction of the scope at the outset of the review. We can then revisit whether it is necessary to later expand the modified terms to ensure that documents not captured by the below modification but responsive to the subpoena are identified and produced.

We believe, based on our colleagues’ review of the documents received to date, that the search string should be modified as follows in the first instance (modifications highlighted **in green**):

- (“high street” OR highstreet) /5 (GbR OR HOLDING OR portfolio OR consortium OR “Six ~~BV~~” OR Seven) OR “Highstreet I” OR Highstreet II”

We are happy to limit to the time period of 2012-2015, but wanted to better understand the following:

- You have noted that the total universe of hits on “high street” and “highstreet” is 114,262 plus families.
- What is the hit count once restricted to 2012 to 2015?
- What is the hit count of the above search string as modified (no date restriction)?
- What is the hit count of the above search string as modified, limited to 2012 to 2015?

We look forward to your next production. Can you please let us know the anticipated timing for that?

-Andres

---

**Andres Saenz**

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---

**From:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>

**Sent:** Thursday, November 18, 2021 2:03 PM

**To:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Sam,

We’ve spoken with our client regarding the “highstreet” terms. As we’ve previously advised, the “highstreet” terms resulted in a disproportionately high number of unique hits – 114,262 unique hits (plus families) of the universe of 288,868 documents (all term hits and families).

The reason for the high number of false positives is that the term is used generically to refer to any prime real estate and it would thus appear in a lot of marketing materials and correspondence, for example, that have nothing to do with Steinmetz or BSG.

“Highstreet A Portfolio GbR” and “Highstreet B Portfolio GbR” were the sellers under various property purchase agreements by which Signa (and partially/indirectly BSG) acquired certain “Karstadt” department store properties located in Germany. To our knowledge “Highstreet A Portfolio GbR” and “Highstreet B Portfolio GbR” are not affiliated with BSG. BSG is not and has not been part of the Highstreet consortium.

Based on this information, we propose the following:

- Limiting the date range to 2012-2015 (ie, the dates of the joint venture)
- Modifying the term to: (“high street” OR highstreet) /5 (GbR OR HOLDING OR portfolio OR consortium OR “Six BV”)

Please let us know if you agree or would like to discuss further. In the meantime, we expect to be making an initial production to you shortly.

MONICA S. ASHER

Partner

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---

**From:** Asher, Monica

**Sent:** Monday, November 15, 2021 10:47 AM

**To:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Sam,

We processed and elevated the data. The “high street” terms continue to be a problem so, as discussed, we are reviewing a sampling of the hits on those terms. A preliminary review indicates that there are many false hits. We will propose modifications to the term, and welcome any suggestions that you may have to more specifically target the sought after documents.

MONICA S. ASHER

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---

**From:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>

**Sent:** Monday, November 15, 2021 9:28 AM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

[ External Email ]

Hi Monica,

We are following up on the status and timing of your production. Please let us know the latest update.

Best regards,

Sam

**Samuel Levander**

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---

**From:** Asher, Monica <MAsher@mwe.com>

**Sent:** Monday, November 1, 2021 8:44 PM

**To:** Saenz, Andres <asaenz@cgsh.com>; Levander, Samuel <slevander@cgsh.com>; Kratenstein, Andrew <AKratenstein@mwe.com>

**Cc:** Rosenthal, Jeffrey A. <jrosenthal@cgsh.com>; Vicens, Elizabeth (Lisa) <evicens@cgsh.com>; Balter, Emily <ebalter@cgsh.com>; Mgaloblishvili, Leila <lmgaloblishvili@cgsh.com>; Wright, Katerina <kawright@cgsh.com>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

See our responses in red CAPS below.

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5706 **Email** MAsher@mwe.com

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

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---

**From:** Saenz, Andres <asaenz@cgsh.com>

**Sent:** Monday, November 1, 2021 4:06 PM

**To:** Asher, Monica <MAsher@mwe.com>; Levander, Samuel <slevander@cgsh.com>; Kratenstein, Andrew <AKratenstein@mwe.com>

**Cc:** Rosenthal, Jeffrey A. <jrosenthal@cgsh.com>; Vicens, Elizabeth (Lisa) <evicens@cgsh.com>; Balter, Emily <ebalter@cgsh.com>; Mgaloblishvili, Leila <lmgaloblishvili@cgsh.com>; Wright, Katerina <kawright@cgsh.com>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

[ External Email ]

Monica,

Thank you for providing these details. To take each of the terms in order of volume of hits:

**Highstreet OR “High Street”**

Without sampling to understand false hits, we cannot commit to restrictions to the “Highstreet” and “High Street” terms. Highstreet Real Estate is a subsidiary of BSG Real Estate and had a direct interest in the Kafhaus portfolio. Could you promote a subset of the documents hitting on (Highstreet OR “High Street”) to run initial checks so that we can determine how best to narrow the terms? We are happy to work with you, but the terms are not so common (especially in German) that they would result in such a high volume of unresponsive hits—this is especially the case for the term “Highstreet”, which seems to be the hits driver.

As a further note—can you please explain why the terms (Highstreet OR “High Street”) collectively resulted in 42,378 unique hits with families, but run separately, Highstreet resulted in 73,798 unique hits plus families and “High Street” resulted in 19,851 hits plus families?

WE WILL SAMPLE AND REVERT. YOU WILL RECALL THAT THE 42,378 NUMBER WAS FROM THE FIRST TRANCHE OF DATA RECEIVED; THE LATTER NUMBERS ARE FROM ACROSS ALL OF THE DATA RECEIVED.

**Gregg OR Greg**

We are fine to drop the term “Greg”. “Gregg” is an uncommon spelling and the hit count is 1,754. We believe that it is reasonable, for processing purposes, to keep this term. Should you identify a high percentage of false hits here post-processing and sampling, we are happy to revisit the term.

OK.

**Levy OR Doron**

We are fine to drop the term “Levy”. As above, for processing purposes, a 2,068 hit-count for “Doron” should not be determinative. After processing, should you think there are an unreasonably high percentage of false-hit drivers such that the limitation “Doron w/3 Levy” is appropriate, we can revisit as well.

OK.

**(Cramer NOT Michael) ; Dag**

We are fine to drop the term (Cramer NOT Michael) so long as you keep the term “Dag” pre-processing. After processing, should you think it there are too many false-hit drivers such that the limitation “Dag w/3 Cramer” is appropriate, we can revisit.

OK.

**“Pollak NOT Peter”**

Thank you for your clarification—we were having trouble understanding your proposed string (Pollack AND Peter) in light of the reasoning behind the modifications, which was to exclude that specific Signa employee. Again, it would make sense to keep the term (Pollak NOT Peter) for processing purposes, but we can work with you to narrow further post-processing to (Daniel /3 Pollak) if indeed there are still too many false hits.

OK.

Thanks,

-Andres

---

**Andres Saenz**

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---

**From:** Asher, Monica <MAsher@mwe.com>  
**Sent:** Thursday, October 28, 2021 4:25 PM  
**To:** Saenz, Andres <asaenz@cgsh.com>; Levander, Samuel <slevander@cgsh.com>; Kratenstein, Andrew <AKratenstein@mwe.com>  
**Cc:** Rosenthal, Jeffrey A. <jrosenthal@cgsh.com>; Vicens, Elizabeth (Lisa) <evicens@cgsh.com>; Balter, Emily <ebalter@cgsh.com>; Mgaloblishvili, Leila <lmgaloblishvili@cgsh.com>; Wright, Katerina <kawright@cgsh.com>  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

We have now finished the first step of processing for all of the data. The data has not yet been processed to a level at which we can sample – we would have to process further to do any sampling – and we are hoping at this stage to avoid the cost of processing large swaths of data that appear on their face to contain false hits.

For Cramer and Pollak, we previously advised you that there were SIGNA employees with those last names, so it is likely that there are many false hits. I should clarify that we ran the term “Pollak NOT Peter”, the typo (Pollack) was in my email to you, not the applied search term. You’ll recall that you agreed to the “NOT \_\_\_\_\_” limitation in your September 9, 2021 email. We thought that might help limit false hits for the employee names, but the results still seem disproportionately high.

“Cramer NOT Michael” returned 5,033 unique hits plus family (Dag had 2,805), and “Pollak NOT Peter” had 6,225. Similarly, “Levy,” a very common name, returned 11,977 unique hits plus families – Doron had 2,068. “Greg”, another very common name, returned 7,167 unique hits plus families and “Gregg” 1,754. In the RFR review, you agreed to the modified terms “Doron w/3 Levy” and “Daniel w/3 Pollak”. We propose using the same style limitations for the individuals here (Cramer, Levy, Pollak, and Blackstock).

The biggest problem, however, remains the Highstreet/High Street terms. “Highstreet” returned 73,798 unique hits plus families – more than double the count for “BSG”, by comparison – and “High Street” returned 19,851. Please propose additional limiting modifications for “Highstreet OR High Street”.

There are additional terms that we expect may also have a substantial number of false hits (e.g., Tivolino, Onyx, and “Vessna OR Vesna”), but the hits numbers are not so great that we need to consider limitations pre-processing and we will wait to perform sampling on those terms.

MONICA S. ASHER

Partner

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**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** nsalzano@mwe.com

---

**From:** Saenz, Andres <asaenz@cgsh.com>  
**Sent:** Monday, October 25, 2021 4:15 PM  
**To:** Asher, Monica <MAsher@mwe.com>; Levander, Samuel <slevander@cgsh.com>; Kratenstein, Andrew <AKratenstein@mwe.com>  
**Cc:** Rosenthal, Jeffrey A. <jrosenthal@cgsh.com>; Vicens, Elizabeth (Lisa) <evicens@cgsh.com>; Balter, Emily <ebalter@cgsh.com>; Mgaloblishvili, Leila <lmgaloblishvili@cgsh.com>; Wright, Katerina <kawright@cgsh.com>  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Monica,

Thank you for sharing this with us. We're happy to work with you to narrow these terms, but we wanted to make sure that we understand that the high hit count is being driven by false hits, and it is not just a function of a high number of responsive documents. We propose in the first instance that you review a small sample set of documents based on our terms to see whether the hit count numbers are being driven by false hits, and how best to reformulate the terms. For instance, how many "Doron" hits are not Doron Levy? The same applies for the term "Dag."

In order to get additional clarity on the prevalence of false hits, we think it might also be helpful to obtain:

- Separate hit counts for "Greg" and "Gregg"
- Separate hit counts for "Highstreet" and "High Street"

Finally, we propose the below modifications and additions to the search terms, which we can discuss further if they are resulting in a high number of false hits:

- In our proposed search terms, we included "Pollak." It seems you are running the term "Pollack" with a restriction—please run the term with the spelling we included in our search terms. That may reduce the hit count.
- Please add the following terms:
  - "Tivolino"
  - "Centaro"
  - "BPE"
  - "Inwood"
  - "Galway"
  - "International Opportunities"
  - "Bowline"

Best,

-Andres

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**Andres Saenz**

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 T: +1 212 225 2804  
 asaenz@cgsh.com | clearygottlieb.com

---

**From:** Asher, Monica [<mailto:MAsher@mwe.com>]

**Sent:** Friday, October 22, 2021 1:01 PM

**To:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Sam,

As I said in my email yesterday, we began running search terms on the first tranche of data that was processed (which represents about half of the email data).

Based on that initial run, the “high hit” problematic terms were:

- Highstreet OR "High Street" (42,378)
- Greg OR Gregg (2,810)
- Cramer NOT Michael (1,638)
- Dag (932)
- Doron (936)
- Levy (4,542)
- Pollack NOT Peter (2,063)

The parentheticals are unique hits plus families.

We propose substituting the above terms with:

- “Highstreet Real Estate”
- Highstreet AND “Real Estate”
- Dag AND Cramer
- Doron AND Levy
- Peter AND Pollack

Please let us know if you agree. We may have additional modifications after the next tranche of data is processed.

MONICA S. ASHER

Partner

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**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

---

**From:** Asher, Monica

**Sent:** Thursday, October 21, 2021 11:16 AM

**To:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[mgaloblishvili@cgsh.com](mailto:mgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Hi Sam,

We found a more cost efficient way to run search terms before processing, and have begun running terms on chunks of the data. Based on the first hit reports, there are some terms that should be modified. We’re playing with those terms now and should have some proposed modifications to you by tomorrow.

MONICA S. ASHER

Partner

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Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

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**From:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>

**Sent:** Thursday, October 21, 2021 11:13 AM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Vicens, Elizab

This message is being sent from a law firm and may contain confidential or privileged information. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.

Throughout this communication, "Cleary Gottlieb" and the "firm" refer to Cleary Gottlieb Steen & Hamilton LLP and its affiliated entities in certain jurisdictions, and the term "offices" includes offices of those affiliated entities. Our external privacy statement is available at:  
<https://www.clearygottlieb.com/footer/privacy-statement>

## Asher, Monica

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**From:** Asher, Monica  
**Sent:** Thursday, October 21, 2021 11:16 AM  
**To:** Levander, Samuel; Saenz, Andres; Kratenstein, Andrew  
**Cc:** Rosenthal, Jeffrey A.; Vicens, Elizabeth (Lisa); Balter, Emily; Mgaloblishvili, Leila; Wright, Katerina; Tarawali, Naomi; Carpenter, Frances  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Hi Sam,

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MONICA S. ASHER  
Partner

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**Cc:** Rosenthal, Jeffrey A. <jrosenthal@cgsh.com>; Vicens, Elizabeth (Lisa) <evicens@cgsh.com>; Balter, Emily <ebalter@cgsh.com>; Mgaloblishvili, Leila <lmgaloblishvili@cgsh.com>; Wright, Katerina <kawright@cgsh.com>; Tarawali, Naomi <ntarawali@cgsh.com>; Carpenter, Frances <fcarpenter@cgsh.com>  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

### [ External Email ]

Hi Monica,

Do you have any update on this?

Thank you very much,  
Sam

---

### Samuel Levander

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One Liberty Plaza, New York NY 10006

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slevander@cgsh.com | clearygottlieb.com

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**From:** Asher, Monica <MAsher@mwe.com>  
**Sent:** Tuesday, October 12, 2021 4:24 PM  
**To:** Saenz, Andres <asaenz@cgsh.com>; Kratenstein, Andrew <AKratenstein@mwe.com>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[imgaloblishvili@cgsh.com](mailto:imgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

Our collection from Signa amassed over a terabyte of data, so we are currently considering ways to reduce processing cost. We will revert when able.

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5706 **Email** [MAsher@mwe.com](mailto:MAsher@mwe.com)

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

---

**From:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Sent:** Tuesday, October 12, 2021 4:14 PM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[imgaloblishvili@cgsh.com](mailto:imgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Monica,

We are reaching out once more regarding for a status update. When we last checked in two weeks ago, you informed us that you would be in a position to report back around this time. Do you have any updates on Signa's production of responsive documents and communications?

Best,

-Andres

---

**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP

Assistant: [cvalenti@cgsh.com](mailto:cvalenti@cgsh.com)

One Liberty Plaza, New York NY 10006

T: +1 212 225 2804

[asaenz@cgsh.com](mailto:asaenz@cgsh.com) | [clearygottlieb.com](http://clearygottlieb.com)

---

**From:** Asher, Monica [<mailto:MAsher@mwe.com>]

**Sent:** Tuesday, September 28, 2021 2:02 PM

**To:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[imgaloblishvili@cgsh.com](mailto:imgaloblishvili@cgsh.com)>; Wright,

Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

We are in the middle of data extraction and expect to be in position to report back in the next week or two.

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5706 **Email** [MAsher@mwe.com](mailto:MAsher@mwe.com)

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

**\*\* We have moved. Please note our new address (above). \*\***

---

**From:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Sent:** Tuesday, September 28, 2021 1:01 PM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Monica:

I am following up on the below regarding next steps in discussing search terms for the review of Signa's documents. Do you have any updates on hit counts or your timing for the production of documents and communications responsive to Vale's subpoena to Signa?

Best,

-Andres

---

**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP

Assistant: [cvalenti@cgsh.com](mailto:cvalenti@cgsh.com)

One Liberty Plaza, New York NY 10006

T: +1 212 225 2804

[asaenz@cgsh.com](mailto:asaenz@cgsh.com) | [clearygottlieb.com](http://clearygottlieb.com)

---

**From:** Saenz, Andres

**Sent:** Thursday, September 9, 2021 1:55 PM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>;

Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Monica,

Thank you for sharing these proposed modifications with us. As an initial matter, we think it would be more appropriate to narrow the below search term in a way similar to how you proposed your modification for the first term, "Cramer NOT Michael":

- Pollak → Pollak NOT [employee first name]

Otherwise, we are fine with your proposal.

Do you have a sense of timing for when you will be able to provide us with a hit count and/or begin the document review and production?

Best,

-Andres

---

**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP

Assistant: [cvalenti@cgsh.com](mailto:cvalenti@cgsh.com)

One Liberty Plaza, New York NY 10006

T: +1 212 225 2804

[asaenz@cgsh.com](mailto:asaenz@cgsh.com) | [clearygottlieb.com](http://clearygottlieb.com)

---

**From:** Asher, Monica [<mailto:MAsher@mwe.com>]

**Sent:** Wednesday, September 8, 2021 6:26 PM

**To:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Gerlach, Natascha <[ngerlach@cgsh.com](mailto:ngerlach@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>; Yuan, Snow <[xuyuan@cgsh.com](mailto:xuyuan@cgsh.com)>; Schiffllers, Simon <[sschiffllers@cgsh.com](mailto:sschiffllers@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

We reviewed the proposed search term list with our client. We propose the following initial edits to the list:

- Cramer → Cramer NOT Michael
- Pollak → Daniel w/3 Pollak
- @Rothschild.com → eliminate term
- @marxerpartner.com → eliminate term

The first two edits are necessary because there are employees at SIGMA with the last names Cramer and Pollak. The second two edits are necessary because SIGMA has had dealings with both firms unrelated to Steinmetz and the BSG entities, so there will be too many false hits.

These edits are based on client feedback on the list, without having yet run the terms against the pool of data. Once we run the terms against the data, we will advise if there are additional edits that need to be made to the list to avoid false hits.

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5706 **Email** [MAsher@mwe.com](mailto:MAsher@mwe.com)

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

**\*\* We have moved. Please note our new address (above). \*\***

---

**From:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Sent:** Monday, August 16, 2021 5:42 PM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Gerlach, Natascha <[ngerlach@cgsh.com](mailto:ngerlach@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>; Yuan, Snow <[xuyuan@cgsh.com](mailto:xuyuan@cgsh.com)>; Schiffers, Simon <[sschiffers@cgsh.com](mailto:sschiffers@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Thank you Monica,

Just to confirm: will these will be the only two accounts that will be uploading the data? I ask because we'll then ask our US and EU IT teams to coordinate to set up accounts for these individuals.

Best,

-Andres

---

**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP

Assistant: [cvalenti@cgsh.com](mailto:cvalenti@cgsh.com)

One Liberty Plaza, New York NY 10006

T: +1 212 225 2804

[asaenz@cgsh.com](mailto:asaenz@cgsh.com) | [clearygottlieb.com](http://clearygottlieb.com)

---

**From:** Asher, Monica [<mailto:MAsher@mwe.com>]

**Sent:** Monday, August 16, 2021 12:15 PM

**To:** Gerlach, Natascha <[ngerlach@cgsh.com](mailto:ngerlach@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>; Yuan, Snow <[xuyuan@cgsh.com](mailto:xuyuan@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Hi Natascha,

Please provide access to:

Jerry Drew: [jcdrew@mwe.com](mailto:jcdrew@mwe.com)

Ben Casten: [bcasten@mwe.com](mailto:bcasten@mwe.com)

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5706 **Email** [MAsher@mwe.com](mailto:MAsher@mwe.com)

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

**\*\* We have moved. Please note our new address (above). \*\***

---

**From:** Gerlach, Natascha <[ngerlach@cgsh.com](mailto:ngerlach@cgsh.com)>

**Sent:** Monday, August 16, 2021 11:36 AM

**To:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>; Yuan, Snow <[xuyuan@cgsh.com](mailto:xuyuan@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Hi Monica,

Could you let me know who from your side will need access to the sftp? We have our IT set it up for you.

Thanks,

Natascha

---

**Natascha Gerlach | CIPP/E | Rechtsanwältin | Registered with the Brussels Bar**

Cleary Gottlieb Steen & Hamilton LLP

Assistant: [aharris@cgsh.com](mailto:aharris@cgsh.com)

Rue de la Loi 57, 1040 Brussels, Belgium

T: +32 2 287 2201 | M: +32 492 272 960

[ngerlach@cgsh.com](mailto:ngerlach@cgsh.com) | [clearygottlieb.com](http://clearygottlieb.com)

---

**From:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Sent:** 16 August 2021 17:09

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Tarawali, Naomi <[ntarawali@cgsh.com](mailto:ntarawali@cgsh.com)>; Carpenter, Frances <[fcarpenter@cgsh.com](mailto:fcarpenter@cgsh.com)>; Gerlach, Natascha <[ngerlach@cgsh.com](mailto:ngerlach@cgsh.com)>; Yuan, Snow

<xuyuan@cgsh.com>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Thank you Monica,

I am looping in my UK colleagues and our European e-discovery experts, who will help move this forward.

Best,

-Andres

---

**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP  
Assistant: cvalenti@cgsh.com  
One Liberty Plaza, New York NY 10006  
T: +1 212 225 2804  
asaenz@cgsh.com | clearygottlieb.com

---

**From:** Asher, Monica [<mailto:MAsher@mwe.com>]

**Sent:** Monday, August 16, 2021 8:42 AM

**To:** Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

We will produce to you today the first set of documents, along with Signa's responses and objections to the subpoena. Can you please provide an FTP link for your London office that we can use to upload the documents?

Thank you,

Monica

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5706 **Email** [MAsher@mwe.com](mailto:MAsher@mwe.com)

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

**\*\* We have moved. Please note our new address (above). \*\***

---

**From:** Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Sent:** Monday, August 2, 2021 3:26 PM

**To:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>; Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andres,

We are conferring with our client, including about the search terms. We will be in touch when we are ready to discuss.

Andrew

ANDREW B. KRATENSTEIN

Partner

**McDermott Will & Emery LLP** One Vanderbilt Avenue, New York, NY 10017-3852

**Tel** +1 212 547 5695 **Mobile** +1 646 338 4881 **Email** akratenstein@mwe.com

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

**\*\* We have moved. Please note our new address (above). \*\***

---

**From:** Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>

**Sent:** Monday, August 2, 2021 11:34 AM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Andrew, Monica,

We wanted to reach out to see whether you had any updates regarding the below. We are happy to put a meet and confer on the calendar for later this week if that works for you.

-Andres

---

**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP

Assistant: [cvalenti@cgsh.com](mailto:cvalenti@cgsh.com)

One Liberty Plaza, New York NY 10006

T: +1 212 225 2804

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**From:** Saenz, Andres

**Sent:** Friday, July 23, 2021 3:16 PM

**To:** Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>; Wright, Katerina <[kawright@cgsh.com](mailto:kawright@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Andrew, Monica,

As discussed on our meet and confer on Wednesday, please find below and attached a summary of the proposed next steps regarding Vale's Subpoena.

1. **GDPR:** Production of documents (electronic and hard-copy) located in the EU on Signa's servers can be made to Cleary's UK office, applying the same GDPR-compliant methodology used by RFR in this same matter. Please confirm whether the EU location is Germany or Austria. We attach here the UK adequacy decision discussed on our call. We expect that this will enable the speedy transfer of the Memorandum of Understanding, loan documents, contracts, and other Steinmetz-Signa joint venture documents that you noted can be produced within 30 days of the date of service of the subpoena, and prior to full negotiation of search terms on electronic communications (next item below).
2. **Search Terms for E-Comms Review.** Please find attached a list of keyword search terms that we propose to run across all electronic communications data for the relevant time period (2010 to present). For the avoidance of doubt, these terms should not be limited to sender and recipient fields, but should be run as full text searches. We are happy to discuss modification of search terms based on hit counts should you find that there are large numbers of potential false hits.
3. **Written Representations.** Please provide to us in writing those representations we discussed on the call.

Vale reserves all rights.

Best,

-Andres

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**Andres Saenz**

Cleary Gottlieb Steen & Hamilton LLP  
Assistant: cvalenti@cgsh.com  
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**From:** Asher, Monica [<mailto:MAsher@mwe.com>]

**Sent:** Thursday, July 15, 2021 8:49 PM

**To:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>

**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>

**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Sam,

Our responses are in red below.

MONICA S. ASHER

Partner

**McDermott Will & Emery LLP** 340 Madison Avenue, New York, NY 10173-1922

**Tel** +1 212 547 5706 **Email** [MAsher@mwe.com](mailto:MAsher@mwe.com)

**Biography** | **Website** | **vCard** | **Twitter** | **LinkedIn**

Nancy Salzano, Assistant to Monica S. Asher

**Tel** +1 212 547 5487 **Email** [nsalzano@mwe.com](mailto:nsalzano@mwe.com)

**\*\*We are moving! Effective July 19, 2021, our new address will be:  
One Vanderbilt Avenue, New York, NY, 10017 \*\***

**From:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>  
**Sent:** Thursday, July 15, 2021 1:04 PM  
**To:** Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>; Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>  
**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

**[ External Email ]**

Andrew, Monica,

Thank you very much for the call earlier this week. We write to follow up on a few points:

1. You proposed that you would accept service on behalf of Signa Chrysler Holding LLC ("Signa US") if you could have 30 days to respond to the subpoena. We confirm that Vale agrees to this proposal.

Signa US will respond to the subpoena by August 16.

2. Please send us a version of the Protective Order executed by Signa US. Vale will treat Signa US as a party to the Protective Order when you do so.

Will do.

3. Please make any further productions of documents from European servers to Cleary London. To confirm, does either Signa US or any other Signa entity have documents on servers in the U.S.?

No Signa entity has servers in the US.

Finally, please let us know if you are available for a follow-up call on the scope of Signa's production next week. Are you available Wednesday (7/21) between 12pm-2pm or Thursday (7/22) from 1:30pm-4pm?

Please send an invite for Wednesday.

Best regards,  
Sam

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**Samuel Levander**  
Cleary Gottlieb Steen & Hamilton LLP  
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One Liberty Plaza, New York NY 10006  
T: +1 212 225 2951  
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**From:** Kratenstein, Andrew <[AKratenstein@mwe.com](mailto:AKratenstein@mwe.com)>  
**Sent:** Friday, July 9, 2021 11:22 AM  
**To:** Levander, Samuel <[slevander@cgsh.com](mailto:slevander@cgsh.com)>; Asher, Monica <[MAsher@mwe.com](mailto:MAsher@mwe.com)>; Eliopoulos, Elias <[eeliopoulos@mwe.com](mailto:eeliopoulos@mwe.com)>  
**Cc:** Rosenthal, Jeffrey A. <[jrosenthal@cgsh.com](mailto:jrosenthal@cgsh.com)>; Saenz, Andres <[asaenz@cgsh.com](mailto:asaenz@cgsh.com)>; Schweitzer, Lisa M. <[lschweitzer@cgsh.com](mailto:lschweitzer@cgsh.com)>; Vicens, Elizabeth (Lisa) <[evicens@cgsh.com](mailto:evicens@cgsh.com)>; Balter, Emily <[ebalter@cgsh.com](mailto:ebalter@cgsh.com)>; Mgaloblishvili, Leila <[lmgaloblishvili@cgsh.com](mailto:lmgaloblishvili@cgsh.com)>  
**Subject:** RE: In re Application of Vale S.A., Vale Holdings B.V., and Vale International S.A.

Sam,

We have done some diligence and would like to discuss with you. You have Monica's and my availability from our email to Andres.

Andrew

ANDREW B. KRATENSTEIN

Partner

**McDermott Will & Emery LLP** 340 Madison Avenue, New York, NY 10173-1922

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